

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

UNITED STATES OF AMERICA, §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. 7:25-cv-00055-O
§
STATE OF TEXAS, §
§
Defendant. §

**PROPOSED INTERVENORS' SUPPLEMENT TO EMERGENCY
MOTIONS FOR STAY AND TO VACATE**

Proposed Intervenors¹ supplement their emergency motions for stay² and to vacate³ with new evidence. One of Plaintiff's counsel has publicly confirmed the agreement that deprives this Court of the subject matter jurisdiction necessary to issue the Consent Order⁴: the United States Department of Justice and the Texas Attorney General agreed, before Plaintiff filed this lawsuit, to its result. Without disclosing this pre-suit agreement, the original parties used this Court to (in the reported words of Plaintiff's counsel of record) "g[et] rid of [a 24-year-old Texas law] in six hours." Supp. App. 146 (Ex. 17).

¹ Proposed Intervenors include La Unión del Pueblo Entero, Austin Community College, and Oscar Silva.

² See Dkt. 17 (Emergency Motion for Stay of Judgment and Memorandum of Law in Support, of Proposed Defendant-Intervenors La Unión del Pueblo Entero, Austin Community College, and Oscar Silva).

³ See Dkt. 18 (Emergency Motion for Relief from Judgment or, in the Alternative, Motion to Alter or Amend Judgment, and Memorandum of Law in Support, of Proposed Defendant-Intervenors La Unión del Pueblo Entero, Austin Community College, and Oscar Silva).

⁴ See June 4, 2025 Order and Final Judgment (Dkt. 8).

An NBC News article has reported:

“A top Justice Department official boasted at a private Republican gathering that the Trump administration was able to kill a Texas law that gave undocumented immigrants in-state tuition ‘in six hours’ by coordinating with Texas Attorney General Ken Paxton, according to a recording obtained by NBC News. . . .

Speaking at the Republican Attorneys General Association a day after the quick court victory, Deputy Associate Attorney General Abhishek Kambli seemed to confirm that.

‘So just yesterday, we had filed a lawsuit against Texas, had a consent decree the same day, or consent judgment, and it got granted hours later,’ Kambli told participants, according to audio obtained by NBC News. ‘And what it did was, because we were able to have that line of communication and talk in advance, a statute that’s been a problem for the state for 24 years, we got rid of it in six hours.’”

Supp. App. 145–46 (Ex. 17).

After colluding to obtain the Court’s Consent Order, Plaintiff is now also using it as pseudo-precedent. To support its June 25, 2025 lawsuit against Minnesota, Plaintiff refers to this Court: “a federal district court recently declared preempted under 8 U.S.C. § 1623(a) a Texas law permitting aliens not lawfully present in the United States qualify as Texas residents eligible for in-state tuition”. Supp. App. 162 (Compl. ¶ 44, *United States v. Tim Walz, et al*, Case No. 025-cv-02668 (D. Minn. June 25, 2025) (appending Dkt. 8 to Complaint)). Plaintiff never mentions in that Complaint that this Court’s Consent Order resulted from an agreement, not an adjudication.

For the reasons set forth in their emergency motions, as further confirmed and supported with this new evidence, Proposed Intervenors respectfully request the relief sought therein.

Dated: June 30, 2025

Respectfully submitted,

/s/ Andres Correa

Andrés Correa
Texas Bar No. 24076330
acorrea@lynllp.com
Christopher Patton
Texas Bar No. 24083634
cpatton@lynllp.com
Yaman Desai
Texas Bar No. 24101695
ydesai@lynllp.com
Kyle A. Gardner
Texas State Bar No. 24116412
kgardner@lynllp.com
Zhenmian Xu
Texas Bar No. 24135820
sxu@lynllp.com
LYNN PINKER HURST &
SCHWEGMANN, LLP
2100 Ross Avenue, Suite 2700
Dallas, Texas 75201
(214) 981-3800 Telephone
(214) 981-3839 Facsimile

Kassandra Gonzalez (*pro hac*)
Texas Bar No. 24116439
kassandra@texascivilrightsproject.org
Molly Petchenik
Texas Bar No. 24134321
molly@texascivilrightsproject.org
Daniel Woodward (*pro hac*)
Texas Bar No. 24138347
danny@texascivilrightsproject.org
TEXAS CIVIL RIGHTS PROJECT
P.O. Box 17757
Austin, TX 78760
(512) 474-5073 ext. 182 Telephone
(512) 474-0726 Facsimile

Daniel Hatoum (*pro hac*)
Texas Bar No. 24099136
daniel@texascivilrightsproject.org
TEXAS CIVIL RIGHTS PROJECT
1017 W. Hackberry Ave.

Alamo, TX 78516
(512) 474-5073 ext. 182 Telephone
(512) 474-0726 Facsimile

Efrén C. Olivares
Texas Bar No. 24065844
Federal Bar No. 1015826
olivares@nilc.org
Tanya Broder*
California Bar. No. 136141
broder@nilc.org
NATIONAL IMMIGRATION LAW CENTER
P.O. Box 34573
Washington, DC 20005-9997
(202) 674-2817 Telephone

David Donatti
Texas Bar No. 24097612
Adriana Pinon
Texas Bar No. 24089768
Edgar Saldivar
Texas Bar No. 24038188
Sarah Corning*
Texas Bar No. 24144442
ACLU FOUNDATION OF TEXAS
P.O. Box 8306
Houston, TX 77288
(713) 942-8146
ddonatti@aclutx.org
apinon@aclutx.org
esaldivar@aclutx.org
scorning@aclutx.org

Joshua M. Salzman*
D.C. Bar No. 982239
jsalzman@democracyforward.org
Brian D. Netter*
D.C. Bar No. 979362
bnetter@democracyforward.org
Paul R.Q. Wolfson*
D.C. Bar No. 414759
pwolfson@democracyforward.org
Skye L. Perryman*

Texas Bar No. 24060411
sperryman@democracyforward.org
DEMOCRACY FORWARD FOUNDATION
P.O. Box 34553
Washington, D.C. 20043
Tel: (202) 448-9090

**Pro Hac Vice Application Forthcoming*

**ATTORNEYS FOR PROPOSED
INTERVENORS LA UNIÓN DEL
PUEBLO ENTERO, AUSTIN
COMMUNITY COLLEGE, AND
OSCAR SILVA**

CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2025, a true and correct copy of the foregoing document was electronically filed via the Court's CM/ECF system which sends notice of electronic filing to all counsel of record.

/s/ Andres Correa
Andrés Correa